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ORDINANCE GRANTING A SPECIAL USE AND MODIFICATIONS (KRUSE EDUCATION CENTER - 7617 HEMLOCK DRIVE)

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WHEREAS, a petition for a Special Use Permit with modifications for certain real estate, as set forth below, has been filed with the Village Clerk of this Village and said petition has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on June 12, 2018, on whether the requested Special Use Permit and modifications should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of the June 12, 2018, public hearing by publication not more than 30 days nor less than 15 days prior to said meeting in the Orland Park Prairie, a newspaper published in and of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations with this President and Board of Trustees, and this Board of Trustees has duly considered said report and findings and recommendations;

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The report and findings and recommendations of the Plan Commission of this Village regarding the proposed Special Use are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearing are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed Special Use and modifications are in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said Special Use and modifications are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

The proposed Special Use with modifications is in relation to the real estate commonly known as 7617 Hemlock Drive, Orland Park, Illinois, legally described as follows (the "Subject Property"):

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF

SECTION 13; THENCE NORTH 00 DEGREES 04 MINUTES 21 SECONDS EAST, 215 TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 57 MINUTES 25 SECONDS WEST ALONG A LINE WHICH IS PARALLEL WITH AND 215 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, FOR A DISTANCE OF 847.23 FEET; THENCE NORTH 16 DEGREES 30 MINUTES 11 SECONDS WEST, 298.63 FEET; THENCE NORTH 73 DEGREES 29 MINUTES 49 SECONDS EAST, 90.43 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE CONVEX NORTHERLY, HAVING A RADIUS OF 297.00 FEET, A DISTANCE OF 857.68 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 04 MINUTES 21 SECONDS WEST, 435.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PIN: 27-13-101-002-0000

SECTION 3

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed Special Use Permit for a public school as follows:

A. The Subject Property contains approximately 7.97 acres and is located within the Village of Orland Park in Cook County, Illinois. The Subject Property is of the type contemplated in Section 6-204.C.3. of the Code and is being developed in accordance with a site plan best suited for the Subject Property. The plan is to develop the Subject Property for a 16,095 square foot school building addition to the existing 54,754 square foot elementary school building under the R-3 Residential Zoning classification, with a Special Use for a public school and the following modifications from the Code:

1. Number of Parking Spaces. (Section 6-306.B.): A 50 parking space modification to allow 90 parking spaces within the site where the parking requirement is 40 spaces.
2. Front Parking Setback (Section 6-306.E.7.a.): A modification to allow parking within the setback between the building and the right-of-way.
3. Side Parking Setback (Section 6-306.E.8.a.): A modification to allow parking within the required side yard setback in a residential district.
4. Shed Size (Section 6-302.C.33.): A 14 square foot modification to allow a 214 square foot shed.

B. The proposed use of the Subject Property is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Comprehensive Plan designates this property as Community and Institutional in the Silver Lake South Planning District. The site provides for adequate buffering in the proposed use from surrounding land uses.

C. The proposed Special Use will be consistent with the character of the immediate vicinity of the Subject Property. To the north and east are single-family homes zoned R-3; and to the south and west are athletic fields, single-family residential and a public park.

D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed Special Use will not adversely affect the value of adjacent property.

E. The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, and schools will be capable of serving the Subject Property at an adequate level of service. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. The entrances and exits will comply with all applicable requirements, and internal traffic is adequately provided for.

F. Petitioner has made adequate legal provision to guarantee the provision and preservation of all improvements associated with the Subject Property development.

G. The proposed use will not adversely affect a known archaeological, historical or cultural resource.

H. The proposed Special Use for a public school shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances of the Village and the Intergovernmental Agreement authorized and approved by this Village President and Board of Trustees dated _____, 2018 (the “Intergovernmental Agreement”).

SECTION 4

A Special Use for a public school is hereby granted for the development of the Subject Property described in Section 2 hereof, subject to and conditioned upon the following:

A. The Subject Property shall be developed substantially in accordance with the Site Plan and Elevations attached as EXHIBIT A within the Intergovernmental Agreement, subject to the following:

1. Petitioner must obtain Village sign permits for all signage;
2. All final building plans must meet “Health/Life Safety Code for Public Schools (23 IL Admin. Code Part 180)” requirements and receive approval from the South Cook Intermediate Service Center.
3. A final Landscape Plan meeting all applicable Village requirements must be submitted within 60 days of final engineering review and approval; and
4. Petitioner (Permittee) shall install split rail fencing around the detention pond.

B. The Subject Property is hereby granted a Special Use Permit for a public school, subject to the above conditions.

C. The Subject Property is hereby granted modifications as follows:

1. The number of allowed parking spaces is increased from 40 to 90;
2. Parking is allowed within the front setback between the building and public right-of-way;
3. Parking is allowed within the required side-yard setback in this residential zoning district; and
4. A 214 square foot shed is allowed on the Subject Property.

SECTION 5

The Petitioner (Permittee) hereunder shall at all times comply with the terms and conditions of the Special Use Permit and the said Intergovernmental Agreement herein granted and in the event of non-compliance, said Permit shall be subject to revocation by appropriate legal proceedings.

SECTION 6

That this Ordinance shall be in full force and effect from and after its adoption and approval as required by law.